

PREVAILED

Roll Call No. \_\_\_\_\_

FAILED

Ayes \_\_\_\_\_

WITHDRAWN

Noes \_\_\_\_\_

RULED OUT OF ORDER

## HOUSE MOTION \_\_\_\_\_

MR. SPEAKER:

I move that Engrossed Senate Bill 190 be amended to read as follows:

- 1 Page 2, line 11, delete "If" and insert "(a) Except as provided in
- 2 subsection (b), if".
- 3 Page 2, line 11, delete "rape, the" and insert "rape and the person
- 4 convicted of rape is the natural father of the child, the person has
- 5 no right to custody, visitation, or parenting time with the child
- 6 unless the natural mother or legal guardian consents to the person
- 7 having custody, visitation, or parenting time and the court
- 8 determines it is in the best interests of the child.
- 9 (b) Subsection (a) does not apply if the person convicted of rape
- 10 is the spouse of the victim at the time of the rape. If the natural
- 11 mother and natural father later divorce, the conviction of rape
- 12 creates a rebuttable presumption that sole or joint custody of the
- 13 child by the perpetrator of the rape is not in the best interests of
- 14 the child. The court shall set forth findings that any custody,
- 15 visitation, or parenting time order by the court adequately protects

- 1 **the child and the victim of the rape."**
- 2 Page 2, delete lines 12 through 42.
- 3 Page 3, delete lines 1 through 14.  
(Reference is to ESB 190 as printed February 21, 2012.)

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Representative McMillin